

Calendar No. 117

112TH CONGRESS
1ST SESSION**S. 1302****[Report No. 112–40]**

To authorize the Administrator of General Services to convey a parcel of real property in Tracy, California, to the City of Tracy.

IN THE SENATE OF THE UNITED STATES

JUNE 29, 2011

Mrs. BOXER (for herself and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

JULY 28, 2011

Reported by Mrs. BOXER, without amendment

A BILL

To authorize the Administrator of General Services to convey a parcel of real property in Tracy, California, to the City of Tracy.

- 1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 **SECTION 1. CONVEYANCE OF PARCEL, TRACY, CALIFORNIA.**
4 (a) DEFINITIONS.—In this section:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of General Serv-
3 ices.

4 (2) CITY.—The term “City” means the city of
5 Tracy, California.

6 (3) PARCEL.—

7 (A) IN GENERAL.—The term “Parcel”
8 means the approximately 150 acres conveyed to
9 the City for educational or recreational pur-
10 poses pursuant to section 140 of division C of
11 Public Law 105–277 (112 Stat. 2681–599; 113
12 Stat. 104; 118 Stat. 335).

13 (B) EXCLUSIONS.—The term “Parcel”
14 does not include the approximately 50 acres
15 conveyed to the City for economic development,
16 in which the United States retains no rever-
17 sionary interest, pursuant to section 140 of di-
18 vision C of Public Law 105–277 (112 Stat.
19 2681–599; 113 Stat. 104; 118 Stat. 335).

20 (b) CONVEYANCE.—

21 (1) IN GENERAL.—Notwithstanding subsections
22 (c) through (f) of section 140 of division C of Public
23 Law 105–277 (112 Stat. 2681–599; 113 Stat. 104;
24 118 Stat. 335) and subject to subsection (c), the
25 Administrator may offer to enter into a binding

1 agreement with the City, as soon as practicable, but
2 not later than 180 days after the date of enactment
3 of this Act, under which the Administrator may con-
4 vey to the City, through a deed of release or other
5 appropriate instrument, any reversionary interest re-
6 tained by the United States in the Parcel, and all
7 other terms, conditions, reservations, and restric-
8 tions imposed, in connection with the conveyance of
9 the Parcel.

10 (2) SURVEY.—For purposes of paragraph (1),
11 the exact acreage and legal description of the Parcel
12 shall be determined by a survey that is satisfactory
13 to the Administrator.

14 (c) CONSIDERATION.—

15 (1) IN GENERAL.—As consideration for the con-
16 veyance under subsection (b), the City shall pay to
17 the Administrator an amount not less than the ap-
18 praised fair market value of the Parcel, as deter-
19 mined by the Administrator pursuant to an ap-
20 praisal conducted by a licensed, independent ap-
21 praiser, based on the highest and best use of the
22 Parcel, as determined by the Administrator.

23 (2) TREATMENT.—The determination of the
24 Administrator under paragraph (1) regarding the
25 fair market value of the Parcel shall be final.

1 (d) COST OF CONVEYANCE.—The City shall be re-
2 sponsible for reimbursing the Administrator for the costs
3 associated with implementing this section, including the
4 costs of each applicable appraisal and survey.

5 (e) PROCEEDS.—

6 (1) DEPOSIT.—The net proceeds from the con-
7 veyance under this section shall be deposited in the
8 Federal Buildings Fund established by section
9 592(a) of title 40, United States Code.

10 (2) EXPENDITURE.—The amounts deposited in
11 the Federal Buildings Fund under paragraph (1)
12 shall be available to the Administrator, in amounts
13 specified in appropriations Acts, for expenditure for
14 any lawful purpose consistent with the authority of
15 the Administrator.

16 (f) ADDITIONAL TERMS AND CONDITIONS.—The Ad-
17 ministrator may establish such additional terms and con-
18 ditions in connection with the conveyance under subsection
19 (b) as the Administrator considers to be appropriate to
20 protect the interests of the United States.

21 (g) NO EFFECT ON COMPLIANCE WITH ENVIRON-
22 MENTAL LAWS.—Nothing in this Act or any amendment
23 made by this Act affects or limits the application of or
24 obligation to comply with any environmental law, including
25 section 120(h) of the Comprehensive Environmental Re-

- 1 sponse, Compensation, and Liability Act of 1980 (42
- 2 U.S.C. 9620(h)).

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